

KING & SPALDING LLP
MICHAEL J. SHEPARD (SBN 91281)
mshepard@kslaw.com
50 California Street, Suite 3300
San Francisco, CA 94111
Telephone: (415) 318 1200
Facsimile: (415) 318 1300

KERRIE C. DENT (*pro hac vice*)
kdent@kslaw.com
1700 Pennsylvania Avenue, NW
Suite 900
Washington, DC 20006-4707
Telephone: (202) 626 2394

CINDY A. DIAMOND (SBN 124995)
58 West Portal Ave #350
San Francisco, CA 94127
408.981.6307
cindy@cadiamond.com

Attorneys for Defendant
ROWLAND MARCUS ANDRADE

ISMAIL J. RAMSEY (CABN 189820)
United States Attorney

THOMAS A. COLTHURST (CABN 99493)
Chief, Criminal Division

CHRISTIAAN HIGHSMITH (CABN 296282)
ANDREW F. DAWSON (CABN 264421)
Assistant United States Attorneys

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102-3495
Telephone: (415) 436-7019
FAX: (415) 436-7234
andrew.dawson@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,
Plaintiff,
v.
ROWLAND MARCUS ANDRADE
Defendant.

-) Case No. 20-CR-00249-RS
-)
-) STIPULATION AND [PROPOSED] ORDER RE:
-) ADDENDUM TO EXISTING PROTECTIVE
-) ORDER
-)
-)
-)
-)
-)
-)

It is hereby stipulated and agreed to by and between counsel for the United States and counsel for defendant Rowland Marcus Andrade (“Defendant”) that the parties hereby enter into the following

1 Addendum to the existing Protective Order, Dkt. #24. This Addendum applies only to the government's
2 production of the affidavit in support of the search warrant for the search and seizure of items from the
3 home of Maria Butina at 3617 38th Street, NW, Washington, D.C., 20016, on July 15, 2018 (the "Sealed
4 Butina Affidavit"). All discovery produced by the government to date, and all future discovery
5 produced moving forward, shall be governed by the existing Protective Order, which remains in full
6 force and effect.

7 **Rules for the Handling of the Sealed Butina Affidavit.**

- 8 a. **Limitations on Use.** Mr. Andrade and his legal team may use the Sealed Butina
9 Affidavit solely in connection with the defense of this case, including any post-
10 conviction or appellate litigation, or in "litigating related ancillary proceedings
11 (including civil forfeiture actions and actions brought by the Securities and Exchange
12 Commission, and any civil or criminal litigation concerning AML Bitcoin or to which
13 Rowland Marcus Andrade or NAC Foundation, LLC is a party or witness),"
14 ("ancillary cases") as permitted by the existing Protective Order governing discovery
15 in this case. Dkt #124 at 3. Any and all counsel who will see, discuss, or use the
16 Sealed Butina Affidavit must comply with this Addendum and be bound by its terms.
- 17 b. **Limitations on Dissemination.** Mr. Andrade, his legal defense team, and his
18 ancillary counsel (collectively, "authorized persons") shall not copy or reproduce the
19 Sealed Butina Affidavit except in order to provide copies of the document for use in
20 connection with this case or any of Mr. Andrade's ancillary proceedings. Copies and
21 reproductions, and any notes or records made in relation to the contents of the Sealed
22 Butina Affidavit, are to be treated in the same manner as the original document.
- 23 c. **Court Filings.** Absent prior agreement by the parties or permission from the Court,
24 no party shall disclose the Sealed Butina Affidavit in any public filing with the Court.
25 It shall be submitted under seal in accordance with Local Criminal Rule 49(f)(6). The
26 Clerk of Court shall accept for filing under seal any filings made in compliance with
27 that Rule and so marked by the parties pursuant to this Order.

1 d. **Court Hearings.** The restrictions in this Order shall not limit either party in the use
2 of the Sealed Butina Affidavit in judicial proceedings in this case or Mr. Andrade's
3 ancillary proceedings. The procedures for use of designated Sealed Butina Affidavit
4 during any hearing or the trial of this matter shall be determined by the parties and the
5 Court in advance of the hearing or trial.

6 e. **Storage.** The Sealed Butina Affidavit must be maintained in the custody and control
7 of Mr. Andrade, the legal defense team, or Mr. Andrade's ancillary counsel.

8 This stipulation is without prejudice to either party applying to the Court to modify the terms of
9 any protective order. This Court shall retain jurisdiction to modify this Order upon motion of either
10 party even after the conclusion of district court proceedings in this case.

11 **IT IS SO STIPULATED.**

12 ISMAIL J. RAMSEY
13 United States Attorney

14 Dated: August 25, 2023

15 _____
16 /s/
17 CHRISTIAAN H. HIGHSMITH
18 Assistant United States Attorney

19 _____
20 /s/
21 MICHAEL J. SHEPARD
22 KERRIE C. DENT
23 CINDY A. DIAMOND
24 Counsel for Defendant
25 ROWLAND MARCUS ANDRADE

1 **[PROPOSED] ORDER**

2 Pursuant to the foregoing stipulation of the parties and good cause having been shown, the Court hereby
3 ORDERS that the foregoing stipulated Addendum to the Protective Order is in full force and effect.
4

5

6

7 **IT IS SO ORDERED.**



8

9 Dated: September 1, 2023

10 HON. LAUREL BEELER
11 United States District Court Magistrate Judge

12 By signing below, I acknowledge that I have been provided and have reviewed a copy of
13 this Order and hereby agree to be bound by its terms:

<u>SIGNATURE</u>	<u>DATE</u>
/s/ Kerrie C. Dent	8-25-23
/s/ Michael J. Shepard	8-25-23
/s/ Cindy A. Diamond	8-25-23
/s/ Rowland Marcus Andrade	8-25-23